

11-09-07

MICHAEL SHIPPEY, PH.D
TECHNICAL CONSULTANT & PATENT AGENT



PATENTS * TRADEMARKS * COPYRIGHTS
WILLS * TRUSTS * ESTATE PLANNING

Law Offices of

KARLA SHIPPEY

4848 Lakeview Avenue, Suite E
Yorba Linda, CA 92886-3452

Toll Free: (800) 693-9110

Telephone: (714) 693-9110

Facsimile: (714) 693-7980

Email: MSHIPPEY@LAWWORDS.COM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Design Patent Application: Michael Santa Cruz

Application Number: 10/813,518 Filed: 03/30/2004

PETITION AND AMENDMENT UNDER 37 C.F.R. 1.137 (b)

Commissioner for Patents

Mail Stop Petition

P.O. Box 1450

Arlington, VA 22313-1450

Dear Sir:

Please consider the petition under 37 C.F.R. 1.137 (b) in Section 1 below. A check is provided to cover fees for the appropriate petition.

Section 1. Reply to the Office to Revive an Unintentionally Abandoned Application

Applicant petitions to revive the patent application 10/813,518 on grounds of unintentional abandonment. Applicant inadvertently failed to respond to the latest communication from the USPTO.

11/09/2007 00:00:00 00000000 10013518

01 FC:2453

770.02 02



Section 2. Remarks

Applicant respectfully requests a speedy consideration of this Petition.

5

Respectfully Submitted,

10

Michael A. Shippey, Ph.D.

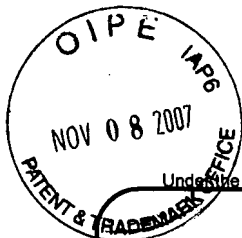
Registered Agent # 45,588

4848 Lakeview Avenue, Suite E

Yorba Linda, California 92886

15

Telephone (714) 693-9110



PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/813,518

Filing Date

03/30/2004

First Named Inventor

Santa Cruz, Michael

Art Unit

3611

Examiner Name

Silbermann, Joanne

Attorney Docket Number

256.101

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Law Offices of Karla Shippey		
Signature			
Printed name	Michael A. Shippey		
Date	11/05/2007	Reg. No.	45,588

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Michael A. Shippey	Date	11/05/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.